

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Brad Hill, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F046299 People v. Canning

Cause called and argued by Kathleen Page, Esq., counsel for appellant and by Patrick Whalen, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F049179 Baillargeon v. Berry

Cause called and argued by John A. Roberts, Esq., counsel for appellant and by Dennis R. Thelen, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, November 8, 2006 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Brad Hill, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F048027 Alvarez v. Alvarez

Cause called and argued by James F. Tritt, Esq., counsel for appellant and by Tasha M. Bollinger, Esq., counsel for respondent.

Cause ordered submitted.

At this point Harris, Acting P.J. directs Hill, J. to act as Presiding Justice in his absence and leaves the bench.

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F048300 Baker v. Mort

Parties stipulate that (1) Wiseman, J., the absent assigned justice, participate in the determination of this appeal, and (2) Wiseman, J. to listen to the recording of oral proceedings upon his/her return.

Cause called and argued by Herman C. Baker, Esq., counsel for appellant and by David M. Ingram, Esq., counsel for respondent.

Submission deferred until Friday, November 17, 2006, for Wiseman, J. to listen to the recording of oral argument.

Court recessed until Thursday, November 9, 2006 at 10:00 A.M.

F049700 People v. Lawson

The judgment is affirmed. Cornell, J.

We concur: Harris, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047835 People v. Means

The judgment is reversed. The matter is remanded to the superior court with directions to vacate its order denying the motion to suppress and to enter a new order granting the motion to suppress Dawson, J.

We concur: Vartabedian, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048600 People v. Tavarez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F048600 **People v. Tavaréz**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049795 **People v. Fadden**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.